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U. S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

RENTAL
DISTRICT COURT
BIRMINGHAM
Dad
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1 Daniel H. Qualls (Bar # 109036)
2 Robin G. Workman (Bar # 145810)
3 Aviva N. Roller (Bar # 245415)
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Attorneys for Plaintiff Johnny McFarland, and all others similarly situated.

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

21 Notice is hereby given that Johnny McFarland, plaintiff in the above named case, hereby
22 appeals to the United States Court of Appeals for the Ninth Circuit from the Stipulated Judgment
23 entered herein on August 25, 2008.

24 DATE: August 26, 2008

QUALLS & WORKMAN, L.L.P.

By:

Robin G. Workman
Attorney for Plaintiff Johnny McFarland,
and all others similarly situated

PROOF OF SERVICE

I, Cheryl Porter, hereby declare:

I am employed in the City and County of San Francisco, California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Qualls & Workman, L.L.P., 244 California Street, Suite 410, San Francisco, California.

On August 27, 2008, I served the NOTICE OF APPEAL on the interested parties in this action via mail by placing a true copy thereof, on the above date, enclosed in a sealed envelope following the ordinary business practice of Qualls & Workman, for collection and mailing in the United States mail addressed as set forth below:

Martin D. Bern
Munger Tolles & Olson LLP
560 Mission Street
Twentyseventh Floor
San Francisco, CA 94105-2907

Malcolm A. Heinicke
Munger Tolles & Olson LLP
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27th Floor
San Francisco, CA 94105-2907

I am personally and readily familiar with the business practice of Qualls & Workman for collection and processing of documents for mailing with the U.S. Postal Service, pursuant to which mail placed for collection at designated stations in the ordinary course of business is deposited the same day, proper postage prepaid, with the U.S. Postal Service.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on August 27, 2008, at San Francisco, California.

Cheryl Porter
Cheryl Porter

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Court Name: U.S. District Court, NDCA
Division: 3
Receipt Number: 34611022002
Cashier ID: sprinka
Transaction Date: 08/27/2008
Payer Name: qualls and workman

NOTICE OF APPEAL/DOCKETING FEE

For: qualls and workman
Case/Party: D-CAN-3-07-CV-003953-001
Amount: \$455.00

CHECK

Check/Money Order Num: 3495
Amt Tendered: \$455.00

Total Due: \$455.00
Total Tendered: \$455.00
Change Amt: \$0.00

mej

Checks and drafts are accepted
subject to collections and full
credit will only be given when the
check or draft has been accepted by
the financial institution on which
it was drawn.